

§2288. Definitions

As used in this compact, unless the context otherwise indicates, the following terms have the following meanings. [PL 2021, c. 324, §2 (NEW).]

1. Active duty military. "Active duty military" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 United States Code, Chapter 1209 and 10 United States Code, Chapter 1211. [PL 2021, c. 324, §2 (NEW).]

2. Adverse action. "Adverse action" means any administrative, civil, equitable or criminal action permitted by a state's laws that is imposed by a licensing board or other authority against an occupational therapist or occupational therapy assistant, including actions against an individual's license or compact privilege such as censure, revocation, suspension, probation, monitoring of the licensee or restriction on the licensee's practice. [PL 2021, c. 324, §2 (NEW).]

3. Alternative program. "Alternative program" means a nondisciplinary monitoring process approved by an occupational therapy licensing board. [PL 2021, c. 324, §2 (NEW).]

4. Compact privilege. "Compact privilege" means the authorization, which is equivalent to a license, granted by a remote state to allow a licensee from another member state to practice as an occupational therapist or practice as an occupational therapy assistant in the remote state under its laws and rules. The practice of occupational therapy occurs in the member state where the patient is located at the time of the patient encounter. [PL 2021, c. 324, §2 (NEW).]

5. Continuing education. "Continuing education" means a requirement, as a condition of license renewal, to provide evidence of participation in, or completion of, educational and professional activities relevant to practice or area of work. [PL 2021, c. 324, §2 (NEW).]

6. Current significant investigative information. "Current significant investigative information" means investigative information that a licensing board, after an inquiry or investigation that includes notification and an opportunity for the occupational therapist or occupational therapy assistant to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction. [PL 2021, c. 324, §2 (NEW).]

7. Data system. "Data system" means a repository of information about licensees, including, but not limited to, license status, investigative information, compact privileges and adverse actions. [PL 2021, c. 324, §2 (NEW).]

8. Encumbered license. "Encumbered license" means a license with respect to which an adverse action restricts the practice of occupational therapy by the licensee or the adverse action has been reported to the National Practitioner Data Bank operated by the United States Department of Health and Human Services. [PL 2021, c. 324, §2 (NEW).]

9. Executive committee. "Executive committee" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission. [PL 2021, c. 324, §2 (NEW).]

10. Home state. "Home state" means the member state that is the licensee's primary state of residence. [PL 2021, c. 324, §2 (NEW).]

11. Investigative information. "Investigative information" means information, records and documents received or generated by an occupational therapy licensing board pursuant to an investigation.

[PL 2021, c. 324, §2 (NEW).]

12. Jurisprudence requirement. "Jurisprudence requirement" means the assessment of an individual's knowledge of the laws and rules governing the practice of occupational therapy in a state.

[PL 2021, c. 324, §2 (NEW).]

13. Licensee. "Licensee" means an individual who currently holds an authorization from the State to practice as an occupational therapist or as an occupational therapy assistant.

[PL 2021, c. 324, §2 (NEW).]

14. Member state. "Member state" means a state that has enacted the compact.

[PL 2021, c. 324, §2 (NEW).]

15. Occupational therapist. "Occupational therapist" means an individual who is licensed by a state to practice occupational therapy.

[PL 2021, c. 324, §2 (NEW).]

16. Occupational therapy assistant. "Occupational therapy assistant" means an individual who is licensed by a state to assist in the practice of occupational therapy.

[PL 2021, c. 324, §2 (NEW).]

17. Occupational therapy; occupational therapy practice; practice of occupational therapy. "Occupational therapy," "occupational therapy practice" or "practice of occupational therapy" means the care and services provided by an occupational therapist or an occupational therapy assistant as set forth in the member state's statutes and regulations.

[PL 2021, c. 324, §2 (NEW).]

18. Occupational therapy compact commission; commission. "Occupational therapy compact commission" or "commission" means the Occupational Therapy Compact Commission established in section 2294, whose membership consists of all states that have enacted the compact.

[PL 2021, c. 324, §2 (NEW).]

19. Occupational therapy licensing board; licensing board. "Occupational therapy licensing board" or "licensing board" means the agency of a state that is authorized to license and regulate occupational therapists and occupational therapy assistants.

[PL 2021, c. 324, §2 (NEW).]

20. Primary state of residence. "Primary state of residence" means the state, also known as the home state, in which an occupational therapist or occupational therapy assistant who is not active duty military declares a primary residence for legal purposes as verified by a driver's license, federal income tax return, lease, deed, mortgage, voter registration or other verifying documentation as further defined by commission rules.

[PL 2021, c. 324, §2 (NEW).]

21. Remote state. "Remote state" means a member state, other than the home state, where a licensee is exercising or seeking to exercise the compact privilege.

[PL 2021, c. 324, §2 (NEW).]

22. Rule. "Rule" means a regulation promulgated by the commission that has the force of law.

[PL 2021, c. 324, §2 (NEW).]

23. Single-state license. "Single-state license" means an occupational therapist or occupational therapy assistant license issued by a member state that authorizes practice only within the issuing state and does not include a compact privilege in any other member state.

[PL 2021, c. 324, §2 (NEW).]

24. State. "State" means any state, commonwealth, district or territory of the United States that regulates the practice of occupational therapy.

[PL 2021, c. 324, §2 (NEW).]

25. Telehealth. "Telehealth" means the application of telecommunications technology to deliver occupational therapy services for assessment, intervention or consultation.

[PL 2021, c. 324, §2 (NEW).]

SECTION HISTORY

PL 2021, c. 324, §2 (NEW).

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